



Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA



## Department of Toxic Substances Control

5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
Governor

August 25, 2005

Mr. Guy Romine  
Army Environmental Center  
SDIM-AEC-CDS  
19932 SE Foster Road  
Boring, Oregon 97009

### APPROVAL OF REMOVAL ACTION WORK PLAN FOR FTIR SITES 38 AND 40 AT FORT IRWIN NATIONAL TRAINING CENTER

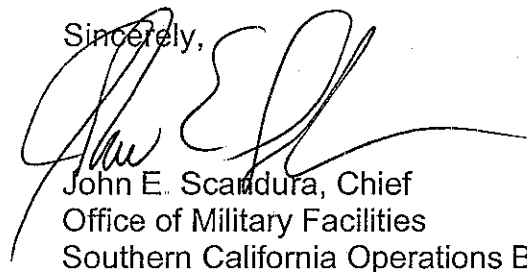
Dear Mr. Romine:

The California Department of Toxic Substances Control (DTSC) hereby approves the subject documents as satisfying the requirements for a Removal Action Work Plan, as defined in the California Health and Safety Code, Chapter 6.8, section 25356.1(h)(1).

A 30-day public comment period for the Removal Action Work Plan and CEQA Mitigated Negative Declaration was held from June 30, 2005 through August 1, 2005. Enclosed are comments received on the project and the corresponding DTSC response on those comments for your record.

DTSC is looking forward to working with you on this project. If you have any questions, please contact Mr. Douglas Bautista at (714) 484-5442.

Sincerely,



John E. Scandura, Chief  
Office of Military Facilities  
Southern California Operations Branch

Enclosures



Mr. Guy Romine  
August 25, 2005  
Page 2

cc: Justine Dishart  
Directorate of Public Works  
National Training Center, Fort Irwin  
P.O. Box 105097  
Attn: AFZJ-PW-EV  
Fort Irwin, California 92310-5097

Sophie Ngu  
U.S Army Corps of Engineers  
1325 'J' Street 12<sup>th</sup> Floor  
Sacramento, California 95814-2922

Srini Neralla  
MKM Engineers  
5025 Arnold Avenue, Building 24  
Sacramento, California 95662

Charlie Huang  
Staff Toxicologist  
California Department of Fish and Game  
Office of Spill Prevention and Response  
Scientific Division  
1700 'K' Street, Suite 250  
Sacramento, California 95814

Christy Hunter  
California Regional Water Quality Control Board  
Lahontan Region  
15428 Civic Drive, Suite 100  
Victorville, California 92392-2359



Mr. Guy Romine  
August 25, 2005  
Page 3

bcc: Shelia Lowe, Unit Chief  
Federal Facilities Unit B  
Office of Military Facilities



# *San Manuel Band of Mission Indians*

## *Environmental Department*

August 15, 2005

Mr. Timothy J. Swickard  
Director, State of California  
Department of Toxic Substances Control  
1001 "I" Street, 25<sup>th</sup> Floor  
Sacramento, CA 95812-0806

RE: Goldstone Dry Lake Playa in San Bernardino County, California  
Fort Irwin NTC Properties: FTIR-38 Area 2 and FTIR-40 Area 1.1

Dear Mr. Swickard,

I would like to take this opportunity to thank you for complying with the requirements of Section 106 of the National Historic Preservation Act (NHPA) of 1966 and its implementing regulations, 36 CFR part 800.

I am certain that you and I can agree that completing the project in a timely manner is of the utmost importance to all stakeholders. That is why I am requesting that you forward to me the following:

- The Archaeological Information Center "records check" for {San Bernardino, Riverside and/or Los Angeles Counties}, including maps and bibliographies (please include color maps if provided by the respective records centers) for review by our office.
- A description of the undertaking (full description of the proposed project);
- Identify those individuals who will be involved in the field studies and report preparations; and
- A copy of the Removal Action Work plan
- A copy of the draft reports for review and final reports upon completion.

The Tribes concerns are:

- How major archeological sites will be treated?
- Treatment of Native American human remains or cremations
- Treatment of artifacts including funerary objects, ceremonial items, and items of cultural patrimony and name/address of an approved curation facility.

August 15, 2005

Again, the Tribe recognizes the importance of maintaining consultation. Should you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,



Ann Brierty  
Cultural Resource Specialist  
Environmental Department  
San Manuel Band of Mission Indians  
BUS: (909) 864 8933  
FAX: (909) 862 5152

Cc: Mr. Douglas Bautista, Project Manager  
Ms. Laura Kaweski, Environmental Analysis and Regulations Section  
Ms. Luz Ramirez de Bryson, Post Archaeologist, Fort Irwin

0075

2005-08-15

STATE OF CALIFORNIAArnold Schwarzenegger Governor**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-4082  
(916) 657-5390 -- Fax



July 28, 2005

Mr. Douglas Bautista  
CalEPA Dept. of Toxic Substances Control  
5796 Corporate Ave.  
Cypress, CA 90630  
Via FAX:

Re: Draft Final Removal Action Work Plan for the FTIR 38 Goldstone Lake Mortar/Small Arms Range and FTIR 40 Mojave Anti-Aircraft Range National Testing Center, Fort Irwin  
SCH# 2005061170

Dear Mr. Bautista:

Thank you for the opportunity to comment on the above referenced document. The Commission was able to perform a record search of its Sacred Lands File for the project area. The record search failed to indicate the presence of Native American cultural resources in the immediate project area; however, the absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

It appears from your document that this project is either part of a federal compliance project or the use of federal funds is planned. Under federal law, agencies using federal funds or implementing federal projects are required to consult with Native American tribes to identify potentially threatened cultural resources. Section 800.2 of the Federal Section 106 process (36 CFR PART 800) **requires that agencies consult with Native American tribes in order to provide them with "a reasonable opportunity to identify (their) concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate (their) views on the undertaking's effects on such properties, and participate in the resolution of adverse effects."** Enclosed is a list of Native American individuals/organizations who may have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. The Commission makes no recommendation of a single individual or group over another. By contacting all those listed, your organization will be better prepared to address claims of failure to consult with the appropriate tribe or group. A minimum of two weeks must be allowed for responses following notification. If there has been no response following the two week period, we recommend that you follow-up by telephone to ensure that the information was received.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA), Public Resources Code §15064.5 (f); Health and Safety Code §7050.5; and Public Resources Code §5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact me at (916) 653-6251.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol Gaubatz".

Carol Gaubatz  
Program Analyst

cc: State Clearinghouse

**Native American Contacts**  
**San Bernardino County**  
**July 28, 2005**

Joseph R. Benitez (Mike)  
P.O. Box 1829  
Indio, CA 92201  
(760) 347-0488

Chemehuevi

Fort Mojave Indian Tribe  
Gary Goforth, Tribal Administrator  
500 Merriman Ave  
Needles, CA 92363  
g.goforth@fortmojave.com  
(760) 629-4591  
(760) 629-5767 Fax

AhaMaKav Cultural Society, Fort Mojave Indian Tribe  
Linda Otero, Director  
P.O. Box 5990  
Mohave Valley, AZ 86440  
ahamakav@citilink.net  
(928) 768-4475  
(928) 768-7996 Fax

Mojave

Fort Mojave Indian Tribe  
Africa Dorame, Environmental Coordinator  
500 Merriman Ave  
Needles, CA 92363  
region9epa@ftmojave.com  
(760) 326-1112  
(760) 629-4591  
(760) 629-5767 Fax

Chemehuevi Reservation  
Shirley Smith, Acting Chairperson  
P.O. Box 1976  
Chemehuevi Valley, CA 92363  
chemehuevit@yahoo.com  
(760) 858-4301  
(760) 858-5400 Fax

Chemehuevi

Morongo Band of Mission Indians  
Britt W. Wilson, Cultural Resource Coordinator  
245 N. Murray Street, Suite C  
Banning, CA 92220  
britt\_wilson@morongo.org  
(951) 849-8807  
(951) 755-5200  
(951) 922-8146 Fax

Colorado River Reservation  
Betty Cornelius, Cultural Contact  
Route 1, Box 23-B  
Parker, AZ 85344  
symi@rraz.net  
(928) 669-9211  
(928) 669-5675 Fax

Mojave  
Chemehuevi

Morongo Band of Mission Indians  
Maurice Lyons, Chairperson  
245 N. Murray Street, Suite C  
Banning, CA 92220  
(951) 849-8807  
(951) 755-5200  
(951) 922-8146 Fax

Fort Mojave Indian Tribe  
Nora McDowell, Chairperson  
500 Merriman Ave  
Needles, CA 92363  
mojave@ftmojave.com  
(760) 629-4591  
(760) 629-5767 Fax

Mojave

San Fernando Band of Mission Indians  
John Valenzuela, Chairperson  
P.O. Box 221838  
Newhall, CA 91322  
tsen2u@msn.com  
(661) 753-9833 Office  
(760) 885-0955 Cell  
(760) 949-2103 Home

Fernandefio  
Tataviam  
Serrano  
Vanyume  
Kitanemuk

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resource assessment for the proposed Draft Final Removal Action Work Plan for FTIR 38 Goldstone Lake Mortar/Small Arms Range and FTIR 40 Mojave Anti-Aircraft Range National Training Center, Fort Irwin, CA, SCH# 2005061170, San Bernardino County.

**Native American Contacts**  
**San Bernardino County**  
**July 28, 2005**

San Manuel Band of Mission Indians  
Deron Marquez, Chairperson  
PO Box 266 Serrano  
Patton, CA 92369  
dmarquez@sanmanuel-nsn.gov  
(909) 864-8933 EXT-3070  
(909) 864-3370 Fax

San Manuel Band of Mission Indians  
Bernadette Brierty, Cultural Resources Coordinator  
PO Box 266 Serrano  
Patton, CA 92369  
bbrierty@sanmanuel-nsn.gov  
(909) 864-8933 EXT-2203  
(909) 864-3370 Fax

Twenty-Nine Palms Band of Mission Indians  
Dean Mike, Chairperson  
46-200 Harrison Place Luiseno  
Coachella, CA 92236 Chemehuevi  
tribal-epa@worldnet.att.net  
(760) 775-5566  
(760) 775-4639 Fax

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is only applicable for contacting local Native Americans with regard to cultural resource assessment for the proposed Draft Final Removal Action Work Plan for FTIR 38 Goldstone Lake Mortar/Small Arms Range and FTIR 40 Mojave Anti-Aircraft Range National Training Center, Fort Irwin, CA, SCH# 2005061170, San Bernardino County.**





Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA



## Department of Toxic Substances Control

5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
Governor

August 19, 2005

Ms. Carol Gaubatz  
Program Analyst  
Native American Heritage Commission  
915 Capitol Mall, Room 364  
Sacramento, California 95814

### **COMMENTS ON THE FORT IRWIN FTIR 38 GOLDSTONE LAKE MORTAR/SMALL ARMS RANGE AND FTIR 40 MOJAVE ANTI-AIRCRAFT RANGE, NATIONAL TRAINING CENTER, REMOVAL ACTION WORK PLAN**

Dear Ms. Gaubatz:

Thank you for your comments on the above mentioned proposed project dated July 28, 2005. Your comments informed us of the need to consult with Native American tribes to identify cultural resources that may be potentially threatened by this project and provided a list of Native American tribal contacts who may have an interest in the project.

The Department of Toxic Substances Control (DTSC) previously received a list of Native American tribal contacts from the Native American Heritage Commission on June 8, 2005, and subsequently sent letters to those contacts. The second list you provided had considerable overlap with the initial list. In a telephone conversation with you on August 3, 2005, Ms. Laura Kaweski of the DTSC Office of Environmental Analysis, Regulations and Audits discussed the previous contacts list from your office. During that conversation, you and Ms. Kaweski agreed that DTSC does not need to send letters to the list of contacts identified in your July 28, 2005 letter.

DTSC added a provision to the above project plan to address the need to notify the tribal contacts in the event cultural resources are located in the course of project work. This additional provision reads as follows:

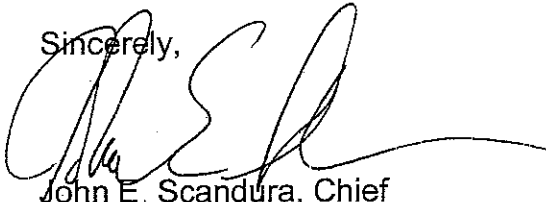
#### **Cultural Resources**

The Fort Irwin Archaeologist will be on site during the duration of the project to identify and conduct necessary actions to protect any discovered artifacts or human remains. In the event that artifacts or human remains are discovered, the list of Native American contacts provided by the Native American Heritage Commission will immediately be notified and given the opportunity to participate in the proper disposition of the artifacts or remains.

Carol Gaubatz  
August 19, 2005  
Page 2

If you have any questions or wish to discuss, please do not hesitate to contact Ms. Laura Kaweski at (916)327-1198 or Mr. Douglas Bautista at (714)484-5442.

Sincerely,



John E. Scandura, Chief  
Office of Military Facilities  
Southern California Branch

cc: Mr. Rick Moss  
Division Chief  
Site Mitigation and Brownfields Reuse Program  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

Ms. Leticia Hernandez  
Public Participation Specialist  
Public Participation Unit  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

Ms. Nicole Sotak, Chief, HQ-18  
Office of Program Audits and Environmental Analysis  
Department of Toxic Substances Control  
1001 "I" Street, Room 1-103  
P.O. Box 806  
Sacramento, California 95812-0806

Ms. Laura Kaweski HQ-8  
Office of Program Audits and Environmental Analysis  
Department of Toxic Substances Control  
1001 "I" Street, Room 1-103  
P.O. Box 806  
Sacramento, California 95812-0806

July 19, 2005

Mr. Timothy J. Swickard  
Director  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, CA 95812-0806

Dear Mr. Swickard:

Thank you for the letters to me and Tribal Chairman Maurice Lyons of July 13, 2005 concerning a Department of Toxic Substances cleanup project at Fort Irwin.

Based on the contents of your letter and the mitigation measures proposed (e.g. archaeologist on site during excavation work), the Tribe is in agreement with your remedial action for the cleanup project. If, however, human remains are uncovered during the excavation process, the Tribe asks that it be notified and be provided the opportunity to participate in the disposition of the remains. The Tribe has a good relationship with Fort Irwin and trusts that in the event that Native American cultural resources are inadvertently discovered during the project, they will be protected to the extent possible.

Thank you again for contacting the Tribe. If you have any questions or additional comments, I may be reached at (951) 755-5206 or [Britt\\_wilson@morongo.org](mailto:Britt_wilson@morongo.org)

Sincerely,

Britt W. Wilson  
Cultural Resources Coordinator

c. Ernest H. Siva, Tribal Historian & Cultural Advisor, MBMI  
Thomas E. Linton, Director, Planning & Econ. Dev. Dept., MBMI





## Department of Toxic Substances Control

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August 19, 2005

Britt W. Wilson  
Cultural Resource Coordinator  
Morongo Band of Mission Indians  
245 N. Murray Street, Suite C  
Cahuilla Serrano  
Banning, California 92220

**COMMENTS ON THE FORT IRWIN FTIR 38 GOLDSTONE LAKE MORTAR/SMALL ARMS  
RANGE AND FTIR 40 MOJAVE ANTI-AIRCRAFT RANGE, NATIONAL TRAINING CENTER,  
REMOVAL ACTION WORK PLAN**

Dear Ms. Wilson:

Thank you for your letter dated July 19, 2005 to the Department of Toxic Substances Control (DTSC) commenting on the above-mentioned proposed project. Your comments expressed general agreement with a proposed remedial action of two hazardous substance release sites project at Fort Irwin. You also requested the protection of any Native American cultural resources found during the project, and if human remains are uncovered, the Morongo Band of Indians be notified and provided the opportunity to participate in the disposition of the remains.

DTSC added a provision to the project plan to protect any discovered Native American cultural resources and to address the need to notify the tribal contacts in the event cultural resources are located in the course of project work. This additional provision reads as follows:

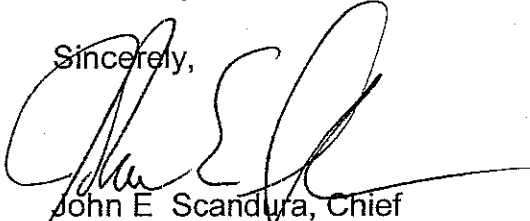
**Cultural Resources**

The Fort Irwin Archaeologist will be on site during the duration of the project to identify and conduct necessary actions to protect any discovered artifacts or human remains. In the event that artifacts or human remains are discovered, the list of Native American contacts provided by the Native American Heritage Commission will immediately be notified and given the opportunity to participate in the proper disposition of the artifacts or remains.

Britt W. Wison  
August 19, 2005  
Page 2

Thank you for your interest in the Fort Irwin project. If you have any questions or wish to discuss, please do not hesitate to contact Mr Douglas Bautista at (714)484-5442.

Sincerely,



John E. Scandura, Chief  
Office of Military Facilities  
Southern California Branch

cc: Maurice Lyons, Chairperson  
Morongo Band of Mission Indians  
245 North Murray Street, Suite C  
Cahuilla Serrano  
Banning, California 92220

Ernest H. Silva  
Tribal Historian and Cultural Advisor  
Morongo Band of Mission Indians  
245 North Murray Street, Suite C  
Cahuilla Serrano  
Banning, California 92220

Thomas E. Linton, Director  
Planning and Economic Development Morongo Band of Mission Indians  
245 North Murray Street, Suite C  
Cahuilla Serrano  
Banning, California 92220

Rick Moss  
Division Chief  
Site Mitigation and Brownfields Reuse Program  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

Leticia Hernandez  
Public Participation Unit  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

Britt W. Wison  
August 19, 2005  
Page 3

Nicole Sotak, Chief HQ-18  
Office of Program Audits and Environmental Analysis  
Department of Toxic Substances Control  
1001 "I" Street, Room 1-103  
P.O. Box 806  
Sacramento, California 95812-0806

Laura Kawesky  
Office of Program Audits and Environmental Analysis  
Department of Toxic Substances Control  
1001 "I" Street, Room 1-103  
P.O. Box 806  
Sacramento, California 95812-0806

